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# LIBRARY LAWS

OF THE

# STATE OF WASHINGTON,

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PREPARED AND ISSUED BY

WASHINGTON STATE LIBRARY.

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1903.

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## WASHINGTON STATE LIBRARY COMMISSION.

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Gov. HENRY McBRIDE, Chief Justice M. A. FULLERTON,

Associate Justices:

T. J. ANDERS,

WALLACE MOUNT,

HIRAM E. HADLEY,

R. O. DUNBAR.

Attorney General W. B. STRATTON,

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## WASHINGTON STATE LIBRARY.

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J. A. GABEL, Librarian.

C. WILL SHAFFER, First Asst. SUE PORTER, Sec. Asst.

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Located on Second floor of Capitol, Olympia, Washington.

General Reference, Law and Historical Departments. Center of the Free Library and Traveling Library Work. Charge of Washington State Publications.

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Reference Department .....	4,000	volumes.
Law Department .....	18,000	"
U. S. Government Doct. Department.....	5,000	"
State Documents Department .....	10,000	"
Historical Department (at present with reference department) .....		
Traveling Library Department .....	2,700	"
Division of Public Documents .....	10,000	"

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It is the desire of the Washington State Library Commission to make the library of more direct benefit to the people of the state at large. Those in search of information along the lines of general knowledge are cordially invited to apply to the library in person or *by letter*.

Any community desiring to establish a free public library should correspond with the State Librarian, who will furnish copies of public library laws, give general advice, and co-operate in every way possible.

The Traveling Library system is being developed and extended for the benefit of the rural communities. Information regarding Traveling Libraries, and as to how they may be obtained, can be had from the State Librarian.

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Library open to the public from 9 to 12, 1 to 4, 7 to 9.



## STATE LIBRARY.

(Chapter 171, Page 351, Session Laws 1903.)

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**AN ACT creating State Library Commission, and relating to management of state library, custody and distribution of public documents, etc.**

**SECTION 1.** A State Library Commission is hereby created, which shall consist of the Governor, the judges of the Supreme Court, and the Attorney General. In addition thereto an advisory board is likewise created which shall consist of the Superintendent of Public Instruction, of two persons appointed by the Governor upon his own initiative, and of two other persons to be appointed by the Governor, one of whom shall be a person recommended by the Washington State Historical Society, and one of whom shall be a person recommended by the State Federation of Women's Clubs. This advisory board shall give advice and counsel to the state library commission and to its librarian with regard to the management and conduct of the historical branch of the State Library, and of the free public and traveling departments thereof. The term of office of each member of the advisory board shall be four years. No member thereof shall receive any salary, but actual traveling expenses while engaged in the discharge of their duties shall be paid to them as are other expenses incurred by the State Library Commission.

**Commission and Advisory Board.**

**Advisory board to give advice.**

**SEC. 2.** The State Library Commission shall have full charge and control of the State Library and of all its departments. It shall appoint a State Librarian, who shall hold office at the pleasure of the commission. The State Librarian shall take an oath to be filed in the office of the Secretary of State that he will support the constitution of the United States, the constitution of the State of Washington, and will faithfully discharge his duties, and shall give bond in the sum of two thousand dollars payable to the State, with two or more sureties to be approved by the State Library Commission, that he will perform his

**Powers and duties of Commission.**

**State Librarian.**

Shall appoint  
assistant  
librarians.

duties as required by law. The State Librarian shall appoint two assistant librarians, by and with the advice and consent of the State Library Commission, who shall qualify in like manner as the librarian, and under his direction and control discharge any and all duties required by him to be discharged. The State Library Commission shall adopt such rules for the convenient and economical management of the State Library in all its departments as they deem fit.

Salary of  
librarian and  
assistants.

SEC. 3. The State Librarian shall receive an annual salary of fifteen hundred dollars, to be paid monthly, and the State Auditor shall draw warrants on the State Treasurer therefor. The assistant librarians shall each be paid an annual salary of such an amount as shall be fixed by the State Library Commission, not to exceed the sum of one thousand dollars per annum for each assistant. The State Library Commission may assign the assistants to different departments of the State Library and graduate the salary of each as they shall deem just. The assistants' salary shall be paid at the same time and in the same manner as the salary of the State Librarian.

Commission to  
assign  
assistants.

Duties of  
librarian.

SEC. 4. The State Librarian, under the direction and control of the State Library Commission, shall:

Charge of  
library.

1. Assume charge of the State Library and all its branches, provide rooms therefor and adjust and arrange it in such rooms, and also provide such fixtures and fittings as shall be necessary.

Purchase  
books.

2. Purchase all books, reports, and maps deemed necessary or proper for the use of the library.

3. Receive and take charge of all books, reports, maps or other documents which may be donated to said library.

4. Provide for the care and repair of the rooms, furniture, fixtures, books, reports, and documents of the library.

Distribute  
Documents.

5. Receive and distribute all public documents which he is required by law to receive and distribute.

Secretary of  
Commission.

6. Act as secretary of the State Library Commission and advisory board, and under the direction thereof, assist in the

organization or improvement of the State Library or any department thereof.

7. Bi-ennially, not more than thirty days before the meeting of the Legislature, make a report to the State Library Commission, showing the work which has been done in all departments of the State Library, and such other matters as are of interest in connection with the library work. He shall be authorized to make requisitions upon the State printing board for printing said report, and also for such other printing as may be necessary or proper in the discharge of his duties. Bi-ennial report.

8. Discharge such other duties as he shall by law or the direction of the State Library Commission be required to discharge. All expenses incurred by him in the discharge of these duties shall be audited and allowed by the State Library Commission, and when ordered paid by them the State Auditor shall draw his warrant upon the State Treasurer for the amount thereof. Expenses.

SEC. 5. The State Library Commission shall have the absolute direction and control of the law department of the State Library, the arrangement thereof, and the purchases to be made in connection therewith. The State Library Commission, with the advice and assistance of the advisory board hereinbefore created, shall also have control of the miscellaneous department of the State Library, the system of traveling libraries and the State historical department (all of which are declared to be a part of the system of the State Library), and shall direct such purchases, receive such donations as may be made, and direct its policy in all particulars. The advisory board shall give particular attention to the building up of a state historical department and a system of traveling libraries, and shall give advice and counsel to all free libraries in the State, and to all communities which may propose to establish them, as to the best means of establishing and administering such libraries, the selection of good books, cataloguing, and other details of library management. Control and manage law department.  
Advisory board.  
Historical partment.  
Traveling libraries.  
Assist free libraries.

SEC. 6. The State Library Commission and the advisory board shall have their office at the office of the State Libra- Office of commission and board.



rian. The State Librarian shall act as secretary to the commission and to the advisory board, and as such secretary shall keep a record of the proceedings of the commission and advisory board, accounts of the financial transactions of the commission, and under its direction, and with the advice and assistance of the advisory board, act in organizing or improving free public libraries, and in the management of the State Library or any department thereof. His expenses as such secretary shall be paid as are other expenses incurred by him.

Duty of printing board—  
executive documents.

SEC. 7. It shall be the duty of the printing board, or whoever shall have charge of the printing of the public documents of the State of Washington, to deliver such documents, when printed, immediately to the State Librarian, who is declared to be the custodian thereof, except that the State printing board shall reserve one hundred copies of the reports of each State officer, which reports said printing board shall arrange in sets and suitably bind such sets in volumes and label the same, "WASHINGTON EXECUTIVE DOCUMENTS," and shall further designate on the backs of such volumes the date of the series, the volume number, the reports contained in each volume, followed by dates showing the period covered by each report, and shall then deliver such bound sets to the State Librarian. The State Librarian shall be charged with all deliveries made to him, and he shall receipt therefor and immediately distribute the same as hereinafter provided, surplus copies to be classified and stored by him in some room assigned for that purpose. Surplus copies of public documents in the custody of any State officer at the time when this act shall take effect shall be delivered by him to the State Librarian, who shall receipt therefor.

Surplus  
copies.

"Public  
documents"  
defined.

SEC. 8. The term "Public Documents," as used in this act, shall include the Supreme Court reports, the Session Laws, the legislative journals, the reports of the State officers or of any commission or commissions, board or boards of the State, or of any person or persons authorized by law to make such reports.



SEC. 9. The State Librarian shall keep a record of all public documents received by him, showing number of each received, the number distributed and to whom, and the number yet on hand, which record shall at all time be open to inspection. On or before the first day of January of each year he shall make a report to the State printing board showing the matters disclosed by such record since the time of making his last report, and shall bi-ennially, in his report as State Librarian, report to the Governor in detail the number of volumes and pamphlets received, the number distributed and the number yet on hand, and shall call attention to any shortage or wasteful surplus, and shall make recommendations with relation thereto. The Washington State Library Commission, created by the act approved March 2, 1901, shall surrender to the librarian all books or documents in its possession when this act shall take effect, and the librarian shall receipt therefor and account for the same in the manner hereinbefore provided. He shall be liable on his official bond for all books and documents so received by him.

Librarian's  
record of  
public  
documents.

Biennial  
report to gov-  
ernor and  
printing  
board.

Liability on  
official bond.

SEC. 10. Upon receipt of the public documents the State Librarian shall deposit six copies of each publication in the State Library, and shall place forty copies in reserve for the future needs of the library and to replace loss by fire or otherwise sustained by any office or institution named in this section, and shall then distribute as follows:

Six copies of  
each document  
to be deposited  
in library.

1. Of the unbound volumes of reports of the State officers he shall deliver to the officer making the report as many volumes thereof as said officer may require upon the officer making a written requisition therefor, showing the names and addresses of persons for whom such reports are intended.

Distribution of  
reports.

2. Of the bound volumes of the executive documents referred to in section 2 hereof he shall deliver to the Governor's office and to the Governor one copy each; to the Congressional Library, to the University of Washington and to the Agricultural College and School of Science two copies each; to the normal schools of this State, and to the State, territorial or district library of each State, territory, or district one copy each; and one copy each to any foreign State

Distribution of  
executive  
documents.

or territory to which the State Library Commission shall require one to be sent.

Distribution of  
session  
laws.

3. Of the Session Laws he shall deliver to each executive State officer, and to each department presided over by such officer, to each department of the United States government, to each of the senators and representatives in Congress of this State, to each judge of the Supreme Court and to the office of each judge, to each Superior judge of the State, to each United States district judge and each United States circuit judge within this circuit, to each United States district attorney and to each United States marshal, and to each registrar and receiver of the United States land offices within this State, to each prosecuting attorney, to each assistant attorney general, to each normal school of the State, to the Agricultural College and School of Science, to the University of Washington, to the law department of each State, territorial, or district library in the United States, to each of the district courts of Alaska, to each province of the Dominion of Canada, to the clerk of the Supreme Court, to the Supreme Court reporter, to each member of the Legislature during the session at which such laws were adopted, one copy. To the clerk of each United States district court within the State, for the use of such court, five copies. To the clerk of each of the other United States district courts, and of each circuit court, within this circuit, for the use of their respective courts, three copies. To the clerk of the Supreme Court of the United States, for the use of such court, ten copies. To the congressional library, and to the law department of the University of Washington, six copies each. To each bar association or public library within the State, three copies. To each county auditor, a sufficient number to supply each county officer and justice of the peace within his respective county with one copy for the official use of such officers, and not otherwise. Such further distribution may be made as the State Library Commission shall order. The surplus copies thereof shall be sold at the actual cost price with ten per cent. added, and the proceeds of such sales shall be paid into the State treasury for the use of the State Library fund.

Surplus copies.

4. Of the Senate and House journals he shall deliver one set to each member of the Legislature during the session of which it is a journal, and to each executive State officer, to each free public library in the State, to each newspaper and magazine furnished free to the State Library, to each State, territorial, or district library in the United States, and to each province of the Dominion of Canada, one set; three sets shall be delivered to each of the normal schools, to the Agricultural College and School of Science, to the University of Washington, and to the law department of the University of Washington; any sets remaining undisposed of shall be disposed of in the same manner as the surplus copies of the Session Laws.

Distribution of  
house and sen-  
ate journals.

5. Of the Supreme Court reports, of each volume issued one volume shall be delivered to the law department of each State, territorial, or district library, and to the Supreme Court of each State, territory, or district of the United States, to each province of the Dominion of Canada sending similar publications to the library of this State, to the clerk and each judge of the Supreme Court of this State, to each of the Superior Court judges, to the Attorney General of the United States, to each United States district attorney within this State, to the Attorney General and to each prosecuting attorney, to each United States district judge and each United States circuit judge within this circuit, to the general library of the University of Washington, to the Agricultural College and School of Science, and to each of the normal schools. To the Supreme Court reporter two volumes shall be delivered; to the congressional library and to the Supreme Court of the United States, three volumes each; to the law department of the University of Washington, six volumes; to each bar association or public library within this State, two volumes; to the clerk of the Supreme Court of the State and to each judge thereof (the same to remain the property of said court) one volume. The State Library Commission may order such further distribution as it shall deem advisable. The State Library Commission shall order such distribution of bulletins and documents issued by the United States or any

Distribution of  
supreme court  
reports.

Further  
distribution.

department thereof and forward to the State Library as it shall deem advisable.

(Sections 11, 12, and 13 are repealing sections. Section 14 declares an emergency.)

(Approved March 17, 1903.)

## PUBLIC LIBRARIES.

(Chapter 166, page 336, Session Laws 1901.)

AN ACT providing for the establishment and maintenance of public and free libraries.

Municipality  
may establish  
library.

Petition.

Support of  
libraries not  
owned by  
public.

Commission to  
investigate.

Additional  
taxes.

But one  
authorization  
necessary.

SECTION 1. By a majority vote at any election any city, village, town, school district, or other body authorized to levy and collect taxes, or by a vote of its common council any city may establish and maintain a free public library, with or without branches, either by itself or in connection with any other body authorized to maintain such library. Whenever twenty-five taxpayers shall petition, the question of providing library facilities shall be voted on at the next election or meeting at which taxes may be voted: *Provided*, The due public notice shall have been given of the proposed action.

SEC. 2. By a similar vote money may be granted toward the support of libraries not owned by the public but maintained for its welfare and free use: *Provided*, That such libraries shall be subject to the inspection of the State Library Commission and registered by it as maintaining a proper standard; that the commission shall certify what number of books circulated are of such a character as to merit a grant of public money; that the amount granted yearly to libraries on the basis of circulation shall not exceed ten cents for each volume of the circulation thus certified by the commission.

SEC. 3. Taxes, in addition to those otherwise authorized, may be voted by any authority named in Section 1 and for any purpose specified in Sections 1 and 2 and shall, unless otherwise directed by such vote, be considered as annual appropriations therefor until changed by further vote, and shall be levied and collected yearly, or as directed, as are other



general taxes; and all money received from taxes or other sources for such library shall be kept as a separate library fund and expended only under direction of the library trustees on properly authenticated vouchers. Every free library now established, unless it is otherwise provided by the city charter of a city wherein such library is situated, and every free library hereafter established shall be maintained and managed as provided in this act.

SEC. 4. The management and control of every public library shall be vested in a board of five trustees (unless a larger number be decided upon by vote at the time of establishment or at some subsequent annual election) who shall be elected by the legal voters; except that in cities they shall be appointed by the mayor with the consent of the city council from citizens of recognized fitness for such position. No person shall be ineligible as a trustee by reason of sex and no trustee as such shall ever receive any compensation. The first trustee shall determine by lot whose term of office shall expire each year and a new trustee shall be elected or appointed annually to serve for five years; all vacancies shall be as soon as possible filled in like manner as the members of the board are regularly chosen and in an unexpired term for the residue of the term only: *Provided*, That in any city in which a library is maintained under this act the city superintendent of schools or the principal of schools shall be *ex-officio* a member of the board of trustees of such library.

SEC. 5. The trustees shall immediately after taking office meet and organize by the election of one of their number as president and by the election of such other officers as they may deem necessary. They shall make and adopt such by-laws, rules and regulations for their own guidance and for the government of the library as may be expedient, not inconsistent with law or this act. They shall have the supervision, care and custody of the rooms or buildings constructed, leased or set apart for the library and the exclusive control of the expenditure of all moneys collected for the library fund; and such money shall be paid out from the treasury by the proper officers upon the properly authenticated vouchers of the board of trustees without further audit.

Five trustees  
elected.

Appointed in  
cities.

Females  
eligible.

Term.

School  
superintendent  
*ex-officio*  
trustee.

Duties of  
trustees.

Purchase sites  
and buildings.

They may lease and occupy, purchase, or erect on purchased ground, an appropriate building for the library: *Provided*, That in cities the purchase of such real estate or the erection of such building, if done at the public expense, be with funds expressly provided therefor by city charter, ordinance of the council, or vote of the people. They may appoint a librarian and assistants, prescribe rules for their conduct, fix their compensation and remove them from office for cause shown: *Provided*, That in all cities or other localities having

Civil service.

a civil service based on competitive examination, all appointments and removals shall be under the rules of such service; and in all cases where possible all appointments to library positions shall be made for ascertained fitness after examination. They shall have the power to do all other acts and things necessary to the management, custody and control of the library.

Annual report.

SEC. 6. The trustees shall make an annual report at the close of each year to the city council or the proper body authorized to levy and collect taxes, stating the condition of their trust, the various sums of money received from the library fund and all other sources, how much money has been expended, the number of books and periodicals on hand, the number added during the year, the number missing or retired, the number loaned out and the general character of such loan, and such other statistics, information and suggestions as they may deem of general interest, together with their estimate of the income necessary for the proper maintenance of the library for the ensuing year: *Provided*, That nothing in this act shall be construed as empowering the board of trustees to incur any indebtedness except as there is sufficient money in the library fund applicable to the payment thereof.

Manner of  
obtaining  
state aid.

SEC. 7. In order to avail the library of any provision of this act for State aid, the first board of trustees shall, within one month after taking office, apply to the State Library Commission to have the institution registered by the commission as a library under its visitation and supervision.

To report to  
commission.

SEC. 8. Every library which receives State aid shall make to the commission an annual report verified by the oath of its

presiding officer and giving such information in such form as shall be prescribed by the commission. The reports shall be summarized and transmitted to the Governor by the commission, together with the reports of its proceedings as required by law.

SEC. 9. Every library established or maintained under this act shall be forever free for the use of the inhabitants of the city, town, village or district where located, subject to such reasonable rules and regulations as the trustees may find necessary in order that the library shall be of the greatest benefit to the greatest number; and they may exclude from the use of the library any person who willfully violates such rules. Must be free.

SEC. 10. The board of trustees of any free library in this State may, under such rules and regulations as it may deem necessary and upon such conditions as may be agreed upon, allow non-residents of the city, town, village or district in which the library is situated to use the books therein, and may make exchanges of books with any other public library, either permanently or temporarily; and any such board may contract with the board of commissioners of the county in which the library is situated or with the board of commissioners, village trustees, town or city council, of any neighboring county, village, town or city, to loan the books of said library to the residents of such county, village, town or city, upon the terms agreed upon in such contract; and every such board of trustees, board of county commissioners or village trustees, town or city council is hereby empowered to make contracts for such purpose and to pay the consideration agreed upon therein to the board of trustees of such library out of the county, town, village or city treasury upon the rendering of proper accounts therefor. Non-residents may use library. May loan books.

SEC. 11. Whoever intentionally injures, defaces or destroys any property belonging to or deposited in any public library, reading room, museum or other educational institution, shall be punished by imprisonment in the penitentiary for not more than three years, or in the county jail for not more than one year, or by a fine of not more than five hundred dollars, or by both such fine and imprisonment. Penalties.



Penalties  
continued.

SEC. 12. Whoever willfully detains any book, newspaper, magazine, pamphlet, manuscript or other property belonging in or to any public or incorporated library, reading room, museum or other educational institution, for thirty days after notice in writing to return the same, given after the expiration of the time which by the rules of such institution such article or other property may be kept, shall be punished by a fine of not less than one or more than twenty-five dollars, or by imprisonment in the jail not exceeding six months; and the said notice shall bear on its face a copy of this section.

Transfer of  
ownership.

SEC. 13. Any incorporation, association, school district or combination of districts may, by legal vote duly approved by the State Library Commission, transfer the ownership and control of its library, with all its appurtenances, to any public library under the supervision of the commission and thereafter said public library shall be entitled to receive any money, books, or other property from the State or other sources, to which said corporation, association or district would have been entitled but for such transfer; and the trustee or body making the transfer shall thereafter be relieved of all responsibility pertaining to property thus transferred.

State may  
withdraw aid.

SEC. 14. If the local authorities of any library supported wholly or in part by State money fail to provide for the safety and public usefulness of its books, the State Library Commission shall in writing notify the trustees of said library of what is necessary to meet the State's requirements, and on such notice all its rights to further grant of money or books from the State shall be suspended until the commission certifies that the requirements have been met; and if said trustees shall refuse or neglect to comply with such requirements for sixty days after service of such notice, the commission may remove them from office and thereafter all books and other library property wholly or in part paid for from State money shall be under the full and direct control of the commission which, as shall seem best for the public interests, may appoint new trustees to carry on the library or may store it, or may distribute to other libraries the books paid for with State money.

SEC. 15. Under such rules as it may prescribe, the State Library Commission may lend from any books it may have State may lend books. for the purpose selections or books for a limited time to any public library in this State under its visitation or supervision, or to any community not yet having established such library but having conformed to the conditions required for such loans. All the official publications of the State shall be State publications to be furnished. furnished, through the State Library Commission, to every free public library in the State, free of charge.

SEC. 16. The trustees or librarian of, or any citizen interested in, any public library in the State shall be entitled to ask from the State Library Commission any needed advice Persons entitled to ask advice. or instruction as to a library building, furniture and equipment, government and service, rules for readers, selecting, buying, cataloguing, shelving, or lending books, or any other matter pertaining to the establishment, reorganization or administration of a public library. The commission may provide for giving such advice or instructions either personally or through printed matter and correspondence. The commission may, on request, select or buy books or furnish books instead of money apportioned, or may make exchanges and loans from any collection of books it may have in its possession. Such assistance shall be free to residents of this State, Commission to give advice and assistance. as far as practicable; but the commission may, in its discretion, charge a proper fee to non-residents, or for assistance of a personal nature or for anything which is not properly an expense to the State, but which may be authorized for the accommodation of users of such library.

SEC. 17. The State Library Commission may use receipts from fees, fines, gifts from all sources, or sale of its bulletins Receipts to be used. or similar printed matter, for buying books or for any other proper expenses of carrying on its work.

SEC. 18. Such sums as shall have been appropriated by the Appropriations. Legislature as a fund for public library aid shall be paid annually by the State Treasurer, on a warrant of the State Auditor, according to an apportionment to be made for the benefit of deserving free libraries by the commission in accordance with its rules and duly authenticated by it: *Provided*, That this money shall not be spent for any books except

Municipality  
to raise equal  
amount.

Books  
furnished by  
state to be  
returned—  
when.

those approved or selected and furnished by the commission; that no locality shall share in the apportionment unless it shall raise and use for the same purpose not less than an equal amount from taxation or other local sources; that for any part of the apportionment not payable directly to the library trustees the commission shall file with the State Auditor proper vouchers showing that it has been spent in accordance with law exclusively for books for free libraries or for proper expenses incurred for their benefit; and that books paid for by the State shall be subject to return to the commission whenever the library shall neglect or refuse to conform to the regulations under which it secured them.

How abolished. SEC. 19. Any library established under this act may be abolished only by a majority vote of the people at a regular annual election, ratified by a majority vote at the next annual election. If any such library be abolished, its property shall be used first to return to the State Library Commission, for the benefit of other public libraries in that locality, the equivalent of such sums as it may have received from the State or other sources as gifts for public use. After such return, any remaining property may be used as directed in a vote abolishing the library; but if the entire library property does not exceed in value the amount of such gifts, it may be transferred to the commission for public use, and the trustees shall thereupon be freed from further responsibility. No abolition of a public library established under this act shall be lawful till the commission grants a certificate that its assets have been properly distributed and its abolition completed in accordance with law.

Titles to gifts. SEC. 20. All persons desirous of making gifts of money, personal property, or real estate, for the benefit of a public library shall have the right to vest the title thereto in the board of trustees, to be held and controlled by the board, when accepted according to the terms of the deed of gift, devise, or bequest.

Application of this act. SEC. 21 All provisions of this act shall apply equally to libraries and to combined libraries and museums, and the word library shall be construed to include reference and

circulating libraries and reading rooms.

SEC. 22. All acts and parts of acts in conflict with this act are hereby repealed. (Approved March 18, 1901.)

## SITES.

Chapter 69, page 119, Session Laws 1901.

**AN ACT authorizing the purchase or setting aside of lands for public libraries, museums, etc., by cities of the first class.**

SECTION 1. If any person or persons shall desire and propose to donate to any city of the first class a building for Donations. a public library, museum, or art gallery, or the money with which to erect any such building, and shall demand or require that such city shall provide a site for such building and guarantee a certain sum for the annual maintenance of such library, museum, or art gallery, such city may purchase land City may purchase land —bonds. upon which to build any such building and may pay for the same by an annual tax levy or by the issue of bonds in the manner now prescribed by law for the issuing of bonds for other purposes; and any such city in the like case may also comply with such conditions or requirements by setting apart and appropriating to such site any of its lands acquired for parks or other public purposes and available for the uses of such site, and may appropriate for maintenance any Appropriations. income of its library fund not otherwise appropriated.

SEC. 2. For the purpose of securing such donation the city council of such city may contract with such donor or Contract. donors for the annual expenditure of a certain sum for the maintenance and uses proposed as set forth in section 1 of this act, and may levy an annual tax for such purposes in ad- Tax. dition to the income provided by law therefor.

SEC. 3. An emergency exists and therefore this act shall Emergency. take effect immediately. (Approved March 11, 1901.)



## CIRCULATING LIBRARIES FOR PUBLIC SCHOOLS.

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SECTIONS of the Code of Public Instruction as amended by sections 26 to 29, pages 180 and 181, S. L. 1903.

State board to recommend list of books.

SEC. 105. *That it shall be the duty of the State Board of Education, at its annual meeting each year, to recommend a list of books suitable for a pupils' circulating library, from which county superintendents and county boards of education may select books for use in their respective counties, for school library purposes, and it shall also be their duty to adopt books for pupils' and teachers' reading circle work, and no pupil shall receive a certificate of graduation from the Eighth grade unless he [or she] has read in good faith at least one of the reading circle books so adopted.*

County superintendents may establish libraries.

SEC. 106. *The County superintendent of each county of this State may establish a circulating library for the use and benefit of the pupils of the common schools of such county.*

Tax levy by county commissioners, for circulating libraries.

SEC. 107. *At the time fixed for the levy of the county tax, the county commissioners of each county may levy a tax sufficient to carry into effect the provisions of section 106 of this act: Provided, That said tax shall not exceed one-tenth of one mill on each dollar of the assessed valuation of the said county. The proceeds of said tax shall, when collected, constitute a circulating school library fund for the payment of all bills created by the purchase of such books as are indicated in sections one hundred and five (105) and one hundred and six (106) of this act, or shall have received the endorsement of the Superintendent of Public Instruction or the county board of education: Provided, That the county superintendent shall purchase no books for such circulating library until there shall be to the credit of the circulating school library fund sufficient money to pay the purchase price thereof: Provided, further, That the county commissioners shall allow no bill or bills against said fund until it shall have been certified to be correct by the county superintendent.*

Proviso as to purchase of books.

Allowance of expense bills.

SEC. 108. *It shall be the duty of the county superintendent to purchase the books and to enforce such rules and regulations for their distribution, use, care and preservation as shall have been adopted by the county board of education, or as he may deem necessary in case no such rules have been adopted by the county board of education.*

County superintendent to purchase books and enforce rules.

### CITY LIBRARIES.

(Chapter 134, page 345, Session Laws 1895.)

AN ACT authorizing the establishment of public libraries in cities.

[This act is modified and repealed in part at least if not all, by chapter 166, page 336, Sess. Laws 1901, see supra page 12.]

SECTION 1. That whenever three or more resident taxpayers of any city in this state having a population of five thousand or more people, that is, any city of the first class, the second class or the third class, or any city of like population existing under special legislative charter, shall present to the mayor and council of such city their petition in writing for the establishment of a public library in said city, together with their private agreement to donate to the city, within three months thereafter for the use of such library, one thousand dollars in money or books, the said council may appoint three reputable citizens of said city to act as directors of the public library, except where city charters otherwise provide for the organization and management of public libraries.

Establishment petition.

SEC. 2. Said directors or authorities mentioned in city charter to manage public libraries are authorized to receive from said petitioners, and from any other persons, donations of money and books for the purpose specified in the preceding section, and to appraise said books; and when they have received such donations to the value of \$1,000, they shall report that fact to the council, stating how much of the donation is in money.

Directors authorized to receive, what.

SEC. 3. Thereupon it shall be the duty of the council to provide, at the expense of the city until the beginning of

Room provided.

the next fiscal year of the city, a suitable room and librarian for such public library.

Tax.

SEC. 4. The city council of every such city, after the directors have made the report mentioned in the second section of this act, annually at the same time and in the same manner as other city taxes are levied, may levy a tax of not more than one-half mill on the dollar for the support of such library. The money so raised shall be kept as a separate fund, to be known as the library fund, and shall be disbursed for library purposes only.

Warrants—  
when drawn.

SEC. 5. It shall be the duty of the officers of the city, who are authorized by law to draw warrants upon the city treasury, to draw upon the library fund such warrants as the directors, or a majority of them, shall direct, that no warrants be drawn against said library fund when there is no money therein.

Directors—  
term of.

SEC. 6. The three directors first appointed shall determine the length of their terms of office, by lot, reporting the result thereof to the city council. The term of one thereof shall expire at the same time as that of the mayor in office at the time of their appointment; the term of a second shall expire one year later, and that of the third two years later than that of the first. Whenever a director's term of office shall expire, it shall be the duty of the council to appoint his successor, who shall hold office for three years.

Directors—  
bonds of.

SEC. 7. Every director, before entering upon the duties of his office, shall file with the city clerk a bond, with sufficient sureties, to be approved by the council, conditional upon the faithful performance of the duties of his office. Such bond shall be in the penal sum of \$2,000, and shall be payable to the city. No director shall receive any compensation for his services.

Directors—  
duties of.

SEC. 8. The directors of the public library shall have sole control of the library and shall disburse the money belonging to the library fund. They shall, when the same are not furnished by the city, provide and furnish suitable rooms, and shall appoint all librarians and assistants and fix their compensation. They shall attend to the selection, purchase and preservation of books and other property for the library,



and may make rules for its government not in conflict with law. They shall, so far as the funds at their disposal will warrant, keep the library open at reasonable hours throughout the year. They may direct warrants on the treasurer to be drawn, and may expend all money belonging to the library fund, including the donations mentioned in the first and second sections of this act: *Provided*, That if any money or funds be donated to the library, or to the city for it, upon condition that only the income thereof shall be used, the directors shall not expend any part of the principal thereof; but they may invest the principal under the direction and with the approval of the city council: *Provided, further*, That the directors shall have no power to create any indebtedness against the city or the library. They shall, on the last Monday preceding the expiration of the term of a director, make an annual report to the mayor and council of the condition and needs of the library, with a detailed statement of their receipts and expenditures during the year.

SEC. 9. All inhabitants of the city shall enjoy the use of the library without charge: *Provided, however*, That the directors may exclude from the library rooms disorderly persons, persons who violate the rules established by the directors, and persons of bad repute, and may require security for the care and return of books taken from the room. (Approved March 20, 1895.)

Library—  
free access to

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## ADDITIONAL POWER OF CITIES OF THE FIRST CLASS.

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SUBDIVISION 20 of section 5, page 218, Sess. Laws 1890, provides that cities of the first class shall have power:

“To provide for the establishment and maintenance of public libraries, and to appropriate, annually, such per centum of all moneys collected for fines, penalties and licenses as shall be prescribed by its charter, for the support of a city library which shall, under such regulations as shall be prescribed by ordinance, be open for use by the public.”

**LIBRARIES EXEMPT FROM TAXATION.**

Chapter 178, page 379, Session Laws 1903.

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SECTION 1. All property described in this section, to the extent herein limited, shall be exempt from taxation, that is to say: \* \* \* \*

Free libra-  
ries, etc.

Fourth. All free public libraries, orphanages, orphan asylums, institutions for the reformation of fallen women, homes for the aged and infirm, and hospitals for the care of the sick, when such institutions are supported in whole or in part by public donations or private charity, and all of the income and profits of such institutions are devoted, after paying the expenses thereof, to the purposes of such institutions, and the grounds, whenever such libraries, orphanages, institutions, homes and hospitals are built and when used exclusively and not otherwise for the purposes in this subdivision enumerated. In order to determine whether such libraries, orphanages, institutions, homes and hospitals are exempt from taxes, within the true intent of this act, the State Board of Health, the county and city authorities of the county and city wherein such institutions are respectively situated, shall have access to the books of such institutions, and the institution claiming exemption shall provide by its articles of incorporation that the Mayor of the city and the chairman of the board of county commissioners wherein such institution is located shall be exofficio trustees thereof, and shall be notified of each and every meeting thereof, and shall have the same powers as a trustee of such institution. And the superintendent or manager of the library, orphanage, institution, home or hospital claiming exemption from taxation under this act shall make oath before the assessor that all the income and the receipts thereof, including donations to it, have been applied to the actual expenses of maintaining it, and to no other purpose. He shall also, under oath, make

Annual report.

annual report to the State Board of Health of its receipts and disbursements, specifying in detail the courses [sources] from which the receipts have been derived, and the object to which disbursements have been applied, and shall further furnish in the said report, full and complete vital statistics for the use and information of the State Board of Health, who may publish the same in its annual report.



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